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Atty Dkt No. APF 34.20  
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on 4 April 2001.

4 April 2001      Manu O'Byrne  
Date                      Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

SWAIN et al.

Serial No.: 09/705,149

Art Unit: Unassigned

Filing Date: 1 November 2000

Examiner: Unassigned

Title:      DNA-VACCINES BASED ON  
              CONSTRUCTS DERIVED FROM  
              THE GENOMES OF HUMAN AND  
              ANIMAL PATHOGENS

PRELIMINARY AMENDMENT

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to a Notice to File Missing Parts of Application (*Filing Date Granted*), said notice having been mailed 6 February 2001. This response is being filed within the statutory two month period for response, and no extensions of time are deemed necessary. Entry of this preliminary amendment, remarks and the attached Sequence Listing is respectfully requested.

#3

ACCOMPANYING DOCUMENTS/MATERIALS

Accompanying this preliminary amendment are the following documents and/or materials: (1) a fully executed Combined Declaration and Power of Attorney; (2) Part 2 of the Notice to File Missing Parts; (3) new pages 50 to 51 of the specification consisting of a printed Sequence Listing; (4) a diskette containing a computer readable form of the Sequence Listing; (5) an Information Disclosure Statement under 37 CFR § 1.97(b); (6) Form PTO-1449; and (7) copies of the cited references.

AMENDMENT

Replacement and Renumbering of Pages:

Please enter the attached three pages of printed Sequence Listing as new pages --50 to 51--.

Please renumber original pages "50-56" as pages --52-58--.

Please renumber the Abstract from page "57" to new page --59--.